

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>T 44387WO/30/hs</b>	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. <b>PCT/DE2004/000007</b>	International filing date (day/month/year) <b>20.01.2004</b>	Priority date (day/month/year) <b>10.02.2003</b>
International Patent Classification (IPC) or national classification and IPC <b>B42D 15/00</b>		
Applicant <b>LEONHARD KURZ GMBH &amp; CO. KG</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☐ (sent to the applicant and to the International Bureau) a total of \_\_\_\_\_ sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/DE2004/000007

Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
  - ☐ publication of the international application (Rule 12.4)
  - ☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-16 \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☒ the claims:
- nos. 1-19 \_\_\_\_\_ as originally filed/furnished

nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19

nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☒ the drawings:
- sheets 1/2-2/2 \_\_\_\_\_ as originally filed/furnished

sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (*specify*): \_\_\_\_\_

☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages \_\_\_\_\_

☐ the claims, nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (*specify*): \_\_\_\_\_

☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/DE2004/000007

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	1-19	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1. The present report makes reference to the following documents:			
D1: DE 16 32 482 A (ADREMA WERKE GMBH) 9 July 1970 (1970-07-09)			
D2: DE 43 34 847 A (KURZ LEONHARD FA; DEUTSCHE BUNDESBANK (DE)) 20 April 1995 (1995-04-20).			
2. Document D1, is considered to be the closest prior art. Said document discloses (the references in parentheses are to D1):			
a security document (1), in particular a value document, with at least one security element (2), which is on the surface of the substrate that forms the security document, said security element being formed by the fact that at least one surface region of the security document is of a shape and size specific to each security document as well as being spatially displaced (for example depressed or raised), at least relative to the substrate surface surrounding or adjacent to said surface region, and/or distinctive in terms of surface			

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

roughness (page 4, line 8), hardness, elasticity, slip properties, heat conductivity and/or viscosity such that, consequent upon said distinctive properties, the shape and size of the surface region is clearly detectable to the human sense of touch, at least one surface region being formed of a similarly structured foil section applied to the substrate, which foil section is of a different from the substrate and is configured with openings (3) (see claim 1).

The subject matter of independent claim 1 differs therefrom in that:

the substrate surface can be felt through the openings.

Thus, the subject matter of claim 1 is novel (PCT Article 33(2)).

3. The problem addressed by the present invention is that of increasing security.
4. The solution to this problem, as proposed by the present invention, involves an inventive step (PCT Article 33(3)). The reasons are as follows:  
  
the substrate comprises a surface region made of a different material from the substrate, the substrate and the surface region being mutually distinguished by properties that are clearly

/...

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

detectable to the human sense of touch, and the surface region being configured with openings through which the surface of the substrate can be felt.

5. Document D2 is considered to be the prior art closest to the subject matter of claim 10. Said document discloses (the references in parentheses are to D2):

a security document (2), in particular a value document, with at least one 'window' opening (4) in the substrate of the security document, said 'window' opening(s) forming at least part of a security element and the shape and size thereof being specific to each security document, and the opening being configured such that its shape and size are detectable to the human sense of touch and being covered with a foil (5) that is attached to a surface of the substrate (claim 10).

The subject matter of claim 10 therefore differs from the known security document in that:

the foil has surface properties that clearly differ from the surface properties of the substrate in a manner that is detectable to the human sense of touch and in that the foil projects beyond the opening in the substrate and the projecting region thereof is provided with at least one recess through which the surface of the substrate can be felt;

/...

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

or in that:

the foil has surface properties that differ from the surface properties of the substrate in a manner that is clearly detectable to the human sense of touch and at least some regions of the foil are embossed, resulting in a special three-dimensional structure;

or in that:

the foil has surface properties that differ from the surface properties of the substrate in a manner that is clearly detectable to the human sense of touch and in that the foil is provided in some regions with a coating, for example an overprint, resulting in special surface properties than can be sensed by touching;

or in that:

the foil has surface properties that differ from the surface properties of the substrate in a manner which is clearly detectable to the human sense of touch and which is provided, at least in the region thereof that covers the opening, with a perforation in the form of a pattern that can easily sensed by touch.

Thus, the subject matter of claim 10 is novel (PCT Article 33(2)).

6. The problem addressed by the present invention is that of increasing security.

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

7. The solution to this problem, as proposed in claim 10 of the present application involves an inventive step (PCT Article 33(3)). The reasons are as follows:
- the 'window' opening in the substrate of the security document is covered by a foil, the surface properties thereof, in the aforementioned combinations, clearly differing from the surface properties of the substrate in a manner that is detectable to the human sense of touch.
8. Claims 2-9 and 11-19 are dependent on claims 1 and 10, respectively, and therefore likewise satisfy the requirements of the PCT in respect of novelty and inventive step.